

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

JUNE 17, 2008

The Confidentiality of Medical Information Act prohibits a provider of health care, a health care service plan, contractor, or corporation and its subsidiaries and affiliates from intentionally sharing, selling, using for marketing, or otherwise using any medical information. SB 1096 would under those provisions, allow a pharmacy to make specified communications to a patient, without the patient's authorization, so long as the patient may opt out of receiving those communications, as specified. If the communications are paid for by a manufacturer, distributor or provider of a health care product or service, the bill would also require that disclosure in a specified manner.

This bill raises significant privacy and health care concerns for patients. The bill would allow the sharing of a patient's confidential medical information regarding prescription drugs among a pharmacy, third party corporations and pharmaceutical companies. SB 1096 would create an exception to California's Medical Information Act, and allow sharing of confidential patient drug prescription information without a patient's consent.

I, THEREFORE, MOVE that the Board of Supervisors send a five-signature letter opposing SB 1096 to the Governor and the members of the California Senate and Assembly.

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MDA:pcsc

MOTION

MOLINA _____

YAROSLAVSKY _____

KNABE _____

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